

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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IN RE WESTERN STATES WHOLESALE
NATURAL GAS ANTITRUST
LITIGATION,

MDL Docket No. 1566

Base Case No. 2:03-cv-01431-RCJ-PAL

THIS DOCUMENT RELATES TO:

ORDER

ALL ACTIONS

(Mot Compel – ECF No. 2439)
(Mot for Leave to Clarify – ECF No. 2492)

This matter is before the court on Defendants E Prime Energy Marketing, Inc. and Xcel Energy Inc.'s Motion to Compel Responses to Contention Interrogatories (ECF No. 2439). This motion is referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 and 1-7 of the Local Rules of Practice. On June 30, 2016, the court held a hearing on this motion. The court has considered the Motion, Plaintiff's Response (ECF No. 2459), E Prime Energy Marketing, Inc. and Xcel Energy Inc.'s Reply (ECF No. 2481), Plaintiffs' Motion for Leave to File Surreply to Clarify the Record (ECF No. 2492), Defendants' Response to Plaintiffs' Surreply (ECF No. 2504) and the arguments of counsel at the hearing and has carefully reviewed the voluminous discovery requests and responses at issue in the motion.

IT IS ORDERED Plaintiffs' Motion for Leave to File Surreply to Clarify the Record (ECF No. 2492) is **GRANTED**.


IT IS ORDERED that Defendants E Prime Energy Marketing, Inc. and Xcel Energy Inc.'s Motion to Compel Responses to Contention Interrogatories (ECF No. 2439) is **GRANTED in part and DENIED in part** as follows:

1. Defendants' request to compel Plaintiffs to provide page and line citations to specific portions of the 84 deposition transcripts upon which they rely for their responses to Interrogatory Nos. 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41,

1 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, and 60 is
2 DENIED.

- 3 2. Plaintiffs shall have until **August 29, 2016** to supplement their answers to
4 interrogatories concerning their wash trading and false reporting contentions as
5 clarified in the surreply so that defendants have a discovery response signed under
6 penalty of Fed. R. Civ. P. 26(g) for use in discovery, motion practice and trial, i.e.,
7 answers to interrogatories 29-33, 48-50 & 59.
- 8 3. Plaintiffs shall have until **August 29, 2016** to provide full and complete answers to
9 Interrogatory Nos. 61, 62, 63, and 64. Plaintiffs' objections, including the objections
10 that the interrogatories seek information protected by the attorney client privilege are
11 overruled.

12 DATED this 15th day of August, 2016.

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15 PEGGY A. LEEN
16 UNITED STATES MAGISTRATE JUDGE
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